

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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CITY OF PROVIDENCE, RHODE ISLAND, et al.,

Plaintiffs,

-against-

14 CIVIL 2811 (JMF)

**JUDGMENT**

BATS GLOBAL MARKETS, INC., et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated March 28, 2022, the Exchanges' motion to exclude Lauers opinions is largely granted and the Exchanges are granted summary judgment for lack of standing. Because the Court lacks subject-matter jurisdiction over Plaintiffs' claims, the remaining motions are DENIED as moot, and Plaintiffs' claims must be and are dismissed without prejudice. Cent. States Se. & Sw. Areas Health & Welfare Fund, 433 F.3d at 198 (Without a plaintiff's satisfaction and demonstration of the requirements of Article III standing, a federal court has no subject matter jurisdiction to hear the merits of a plaintiff's...claim."); see also id. ("Without jurisdiction..., the only function remaining to the court is that of announcing the fact and dismissing the case." (quoting Steel Co., 523 U.S. at 94)); Carter, 822 F.3d at 54 ([W]here a complaint is dismissed for lack of Article III standing, the dismissal must be without prejudice, rather than with prejudice."). One housekeeping matter remains. In its February 23, 2022 Memorandum Opinion and Order regarding Plaintiffs' motion to unseal, the Court noted that it might revisit whether [the documents identified in the Order] should remain under seal or in redacted form once the Court had "ruled on the underlying motions associated with the [ ] filings." City of Providence v. BATS Glob. Markets, Inc., No. 14-CV-2811 (JMF), 2022 WL

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539438, at \*5 (S.D.N.Y. Feb. 23, 2022). Having now done so, the Court concludes that its prior findings with respect to these filings still stand. The filings sealed by that Order and the filings submitted with redactions consistent with that Order, see ECF Nos. 809, 829, 831, will thus be maintained under seal and in redacted form; accordingly, the case is closed.

**Dated:** New York, New York

March 28, 2022

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

A handwritten signature in black ink, appearing to read 'X. Mango', is written over a horizontal line.

**Deputy Clerk**